

MINUTE ENTRY - P/T Conf & Ord Transferring Actions to Dist of Guam for Trial, dtd 10/01/01 re: CV-98-2243-HLH(RCx) - This case is to be distinguished from t/action involving CV-98-2243(d)(2) w/t/action involving that person being retained in t/Central Dist of CA.

CLERK'S Cert of Transmittal of t/following:

3/27/98 1 COMPLAINT filed Summons(es) not issued referred to Discovery Ann I. Jones; Jury demand (jp) [Entry date 04/02/98] [2:98cv2243] 3/31/98 2 PRAECIPE: issd sums on complaint [1-11 (kh) [Entry, date 04/03/98] [2:98cv2243]

4/6/98 11 FIRST AMENDED COMPLAINT [1-1] by plaintiffs; jury demand. Summons not issd (kh) [Entry date 04/13/98] [2:98cv2243]

4/7/98 4 APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for plaintiffs by Charles Heerrmann. Designating Juanita M Madole as local counsel. Approved by Judge Audrey B. Collins . (Fee pd) (kh) [Entry date 04/13/98] [2:98cv2243]

4/7/98 5 PETITION & ORDER for APPT OF GRDN AD LITEM FOR JIN YU KANG: IT IS ORD that MYTJNG SOOK SHIN be appointed grdn ad litem for JIN YU KANG by Judge Audrey B. Collins (kh) [Entry date 04/13/98] [2 :98cv2243]

4/7/98 6 PETITION & ORDER FOR APPT OF GRD AD LITEM: IT IS ORD that JUNG JA JUNG be appt grdn ad litem for WON HEE KO by Judge Audrey B. Collins (kh) [Entry date 04/13/981 [2 :98cv2243]

4/7/98 7 PETITION & ORDER FOR APPT OF GRDN AD LITEM: IT IS ORD that JEONG CHEOL JU b appt grdn ad litem for YEON JIN JU by Judge Audrey B. Collins (kh) [Entry date 04/13/98] [2 : 98cv2243]

4/7/98 8 PETITI , & ORDER FOR APPT OF GRDN AD LITEM: IT IS ORD that JUNG JA JUNG be appt grdn ad litem for WON SAN KO by Judge Audrey B. Collins (kh) [Entry date 04/13/981 [2: 98cv2243]

4/7/98 9 PETITION & ORDER FOR APPT OF GRDN AD LITEM: IT IS ORD that MYUNG SOOK SHIN be appt grdn ad litem for YU BIN KANG by Judge Audrey B. Collins (kh) [Entry date 04/13/98] [2: 98cv2243]

4/7/98 10 PETITION & ORDER FOR APPT OF GRDN AD LITEM: IT IS ORD that YONG MAN KIM be appt grdn ad litem for EUN HYUNG KIM by Judge Audrey B. Collins (kh) [Entry date 04/13/98] [2 : 98 cv2 2431

4/10/98 3 ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Case) Hled. [Related Case no.: CV97-7023 HLH (RCx)] Case transferred from Judge Audrey B. Collins to Judge Harry L. Hupp for all further proceedings. The case number will now reflect the initials of the transferee Judge [CV98-2243 HLH (Rcx) I ., Case referred from Discovery Ann I. Jones to Discovery Rosalyn M. Chapman . (cc: all counsel) (jc) [Entry date 04/11/98] [2 : 98cv2243]

4/10/98 12 NOTICE by plaintiff Jin Hyung Lee of related case(s) CV97-7023 HLH (RCx) (jc) [Entry date 04/20/981 [2: 98cv2243]

4/20/98 13 NOTICE by plaintiffs of area code change (pj) [Entry date 04/30/981 [2:98cv2243]

5/12/98 14 WAIVER OF SERVICE of SUMMONS by defendant Barton Ate Int 1 Inc sent by pif on 4/9/98 signed & ack by Mary Haas, atty on 4/28/98 (kh)

[Entry date 05/15/98] [2:98cv2243]

6/5/98 15 MINIJTES: Status conf held ; mandatory status conference set on 3 :00 8/7/98 by Judge Harry L. Hupp CR: Cynthia Mizell (tw) [Entry date 06/12/981 [2:98cv22431

6/9/98 16 ANSWER filed by defendant Serco Mgt Svcs Inc sued herein as Barton ATC Intl Inc a Tennessee corp the sam corp entity prior to a name change to amended complaint [11-1]; jury demand (pj) [Entry date 06/15/981 [2:98cv2243]

7/31/98 18 NOTICE OF MOTION AND MOTION by defendant Serco Mgt Svcs Inc to dismiss punitive damage claim for failure to state a claim upon which rel can be granted, or in alt for partial judgment on the pleadings ; motion hearing set for 10:00 9/14/98 (dhl) [Entry date 08/18/98] [2:98cv2243]

8/6/98 17 NOTICE OF MOTION AND MOTION by plaintiff to amend cmp and decl of Juanita M. Madole in suppt thereof ; motion hearing set for 10:00 9/14/98 Lodged Prop 2nd A/c (tw) [Entry date 08/10/98] [2:98cv2243]

8/6/98 17 DEMAND for jury trial by plaintiffs (tw) [Entry date 08/10/98] [2:98cv2243]

8/7/98 20 ORDER of consolidation by Judge Harry L. Hupp ; mandatory status conference set on 1:30 10/9/98 (Relate to MDL 1237) and all other actions (shb) [Entry date 09/16/98] [2 : 98cv2243]

8/14/98 19 OPPOSITION by plaintiffs to motion to dismiss punitive damage claim for failure to state a claim upon which rel can be granted [18-1] (shb) [Entry date 08/21/981 [2: 98cv2243]

8/31/98 22 MEMORANDUM of points and authorities IN OPPOSITION by plaintiffs of motion to amend cmp [17-1] (Relates to cv 97-7023 HLH (RCx) and MDL 1237) (shb) [Entry date 09/23/98] [2: 98cv2243]

9/4/98 23 REPLY by plaintiffs to Oppositin by Serco Management Services to motion to amend cmp [17-1] (Relates to MDL 1237) (shb) [Entry date 09/25/98] [2:98cv2243]

9/4/98 24 REPLY by defendant Serco Mgt Svcs Inc to pltfs opposition to motion to dismiss punitive damage claim for failure to state a claim upon which rel can be granted [18-1i, motion for partial judgment on the pleadings [18-21 (Relats to cv 97-7023 HLH (RCx) , cv 98-2707 HLH (RCx) cv 98-2798 HLH (RCx), cv 98-3626 HLH (RCx), cv 98-3637 HLH (RCx) (shb) [Entry date 09/25/98] [2:98cv2243]

9/11/98 21 AMENDED COMPLAINT [11-1i by plaintiff; adding Young Jae Lee, Young Jae Lee, Jong Myoung Kim, Hye Ran Kim, Young Jae Lee; jury demand. Summons not issd (el) [Entry date 09/17/98] [2:98cv2243]

9/14/98 26 MINUTES: denying motion to dismiss punitive damage claim for failure to state a claim upon which rel can be granted [18-li, w/out prej to renew in connect w/ the determin of choice of law by Judge Harry L. Hupp CR: Cynthia Mizell [related to cv 98: 2707, 2798, 3626, 3637, & MDL 1237] (ion) [Entry date 10/30/981 [2:98cv2243]

9/14/98 27 MINUTES: granting plf s motion lv to fi a 2nd amend cmp [17-1] & the onig of the SAC is fld this date. 10 days to ans or stip tht the ans to the AC is deemed to be the ans to the SAC by Judge Harry L. Hupp CR: Cynthia L Mizell [related to MDL 1237] (lori) [Entry date 10/30/98] [2 : 98cv2243]

9/16/98 25 ANSWER filed by defendant Serco Mgt Svcs Inc to 2nd amended complaint [21-1]; jury demand (et) [Entry date 10/30/98] [2: 98cv2243]

11/4/98 28 Issd Sms PRAECIPE: in re 2nd amended complaint for 20 days [21-1] (el) [Entry date 11/05/98] [2:98cv2243]

11/19/98 29 STIPULATION and ORDER by Judge Harry L. Hupp that the pltfs in case nos. cv 98-2243; 98-2707; 98-2798; 98-3626; 98-3637; 98-5010; 98-5450; 98-659. . .and Serco Mgmt Services, that the claims for punitive damages set forthin the cmps are dismissed w/o prej to pltfs right to amd the cmp in the event that pltfs cnsl determines that sufficient facts exist to pursue a claim for punitive damages. This stirk is intended to be written consent of the adverse pty within the meaning of Rule 15(a) of the FRCP. Any such amd must be filed and served prior to 5/1/99. (ENT: 12/3/98) mid cpy & ntc. (shb) [Entry date 12/03/98] [Edit date 12/07/98] [2: 98cv2243]

12/17/98 30 Proof of service of 2nd Amended s/c executed upon defendant Barton ATC International, Inc by serving Robert M Kern of Kern & Wooley by mail on 12/2/98 (no retn cards attached) (el) [Entry date 12/18/98] [2:98cv2243]

12/17/98 30 DEMAND for jury trial by plaintiffs (el) [Entry date 12/18/98] [2:98cv2243]

4/19/99 31 NOTICE OF MOTION AND MOTION by defendant Serco Mgt Svcs Inc for summary judgment re actions where pltfs have signed reeases in Sercos favorexhibits ; motion hearing set for 10:00 5/17/99 Lodged stmt of uncontroverted facts, lodged 11 orders (Relates to MDL 1237, cv 98-6236; 98-4500; 98-5450) (shb) [Entry date 04/21/99] [Edit date 04/21/99] [2:98cv2243]

4/19/99 32 DECLARATION of Sean M. Novak by defendant Serco Mgt Svcs Inc re motion for summary judgment re actions where pltfs have signed reeases in Sercos favor [31-1] (Relates to MDL 1237, cv 98-6236; 98-4500; 98-5450) (shb) [Entry date 04/21/99] [2:98cv2243]

4/22/99 33 NOTICE OF CHANGE Of Address filed Korean Air Lines re (MDL 1237) (shb) [Entry date 04/23/99] [2:98cv2243]

5/3/99 34 RESPONSE by plaintiff Myung Dal Cho, plaintiff Sang Mm Lee to motion for summary judgment re actions where pltfs have signed 'reeases in Sercos favor [31-11 [Relates to MDL #1237 HLH] (et) [Entry date 05/05/99] {2:98cv2243}

5/11/99 35 DECLARATION of Sean N. Novak by defendant SÃ©rco Mgt Svcs Inc in supprt of Serco s rpiy topla s opposition to deft s re motion for summary judgment re actions where pltfs have signed reeases in Sercos favor [31-1] [Relates to MDL #1237; CV 98-6236; CV 98-4500; CV 98-5450]

(et) [Entry date 05/17/99] [2:98cv2243]

5/11/99 36 REPLY by defendant Serco Mgt Svcs Inc to response to motion for summary judgment re actions where pltfs have signed releases in Sercos favor [31-1] . [Relates to CV 98-6236; CV 98-2243; CV 98-4500 & CV 98-5450] (et) [Entry date 05/17/99] [2:98cv2243]

5/17/99 37 MINUTES: granting motion for summary judgment re actions where pltfs have signed releases in Sercos favor [31-1]; The mot fos s/j is granted as to the heirs of decedents listed in actns cv 98-4500 and cv 98-5450. The mot to dism the actns in cv 98-6236 and cv 98-2243 are denied w/o prej to renew by reason of triable issue of fact and resolution of choice of law problems. (Relates to MDL 1237, cv 98-4500; 98-5450; 98-6236) (ENT: 5/20/99) mid cpys & ntc. by Judge Harry L. Hupp CR: Cynthia Mizell (shb) [Entry date 05/20/99] [2:98cv2243]

5/3/00 38 OPPOSITION by dft Korean Air Lines Co. to mot to enforce partial sttlmnt; memo of PA; deci of Jennifer J. Johnston. (ab) [Entry date 05/05/00] [2:98cv2243]

5/3/00 39 DECLARATION by dft Korean Air Lines Co. of Jennifer J. Johnston in suppt of opp to mot to enforce partial sttlmnt. (RELATES TO MDL 1237). (ab) [Entry date 05/05/00]

9/27/00 40 NOTICE of lien and agreement between KAL and young Man Kim, Eun Hyung Kim and Soon Rye Jung relating to cash advances by defendant Korean Air Lines Co. (re: MDL 1237) (pbap) [Entry date 09/28/00] [2:98cv2243]

9/27/00 41 NOTICE of lien & agreement btwn KAL and Uy Young Kim & Jung Ja Kim relating to cash advances fld 'by Korean Air lines Co Ltd (mrgo) [Entry date 10/03/00] [2:98cv2243]

9/27/00 42 NOTICE of lien & agreement btwn KAL & Myung Sook Shin mdiv & as guardian ad litem for Yu Bin Kang & Jin Yu Kang relating to cash advances fld by Korean Air Lines Co Ltd (mrgo) [Entry date 10/03/00] [2:98cv2243]

9/27/00 43 NOTICE of lien & agreement btwn KAL & Il Hwa Jung & Won Ae Yim relating to cash advances fld by Korean Air Lines Co Ltd (mrgo) [Entry date 10/03/00] [2:98cv2243]

9/27/00 44 NOTICE of lien & agreement btwn KAL & Young Man Kim, Eun Hyung Kim & Soon Rye Jung relating to cash advances fld by dft Korean Air Lines Ltd (mrgo) [Entry date 10/03/00] [2:98cv2243]

9/27/00 45 NOTICE of lien & agreement btwn KAL & Soe Jin Ahn, Soc Yun Ahn, Jong Hyuk Ahn & So Rye Ku relating to cash advances (mrgo) [Entry date 10/03/00] [2:98cv2243]

10/4/00 46 NOTICE of Lien and agreement between KAL and Soc Jin Ahn, Soo Yun Ahn, Jong Hyuk Ahn and So Rye Ku relating to cash advances by defendant Korean Air Lines Co. (re: MDL 1237) (pbap) [Entry date 10/10/00] [2:98cv2243]

10/4/00 47 NOTICE of lien and agreement between KAL and Jong Rang Kim Sook Ja Yeun and Hyun Soon Kim relating to cash advances by defendant Korean Air Lines Co. (re: MDL 1237) (pbap) [Entry date 10/10/00] [2:98cv2243]

10/4/00 48 NOTICE of lien and agreement between KAL and Jung Ja Jung, individually and as guardian ad litem for Won Hee Ko and Won San Ko, and

Jong Ii Ko relating to cash advances by defendant Korean Air Lines Co. (re: MDL 1237) (pbap) [Entry date 10/10/00] [2:98cv2243]

10/4/00 49 NOTICE of lien and agreement between KAL and Jin Hye Kwon individually and as guardian ad litem for Woo Jae Kim relating to cash advances by defendant Korean Air Lines Co. (re: MDL 1237) (pbap) [Entry date 10/10/001 [2:98cv2243]

10/4/00 50 NOTICE of lien and agreement between KAL and Se Ki Kim, Bo Rye Lee, Kum Ok Park and Nam Hoon Kim relating to cash advances by defendant Korean Air Lines Co. (re: MDL 1237) (pbap) [Entry date 10/10/00] [2:98cv2243]

2/21/01 62 DECLARATION of Debra D. Fowler by unknown USA re motion for partial summary judgment [56-1] related to decedent Sang OK Lee (re: MDL 1237) (pbap) [Entry date 02/27/01] [2: 98cv2243]

2/28/01 63 MINUTES: contd hearing on motion for partial summary judgment [56-1] 10:00 3/26/01 ; telephone conference set on 10:00 3/26/01. The crt is allowing a month to prod said evid facts. Any fur declrs to be fid by 3/19/01 by Judge Harry L. Hupp CR: not present (pbap) [Entry date 03/01/01] [2:98cv2243]

3/2/01 64 NOTICE OF MOTION by unknown USA to strike, and for costs ; motion hearing set for 10:00 3/26/01 Lodged prop ord w/mtn to str (re MDL 1237) (pbap) [Entry date 03/07/01] [2: 98cv2243]

3/5/01 65 EX PARTE APPLICATION filed by unknown USA to expedite hrg on its mtn to str plfs experts wits Lodged prop ord (pbap) [Entry date 03/08/01] [2:98cv2243]

3/7/01 66 ORDER by Judge Harry L. Hupp granting ex parte motion to expedite hrg on its mtn to str plfs experts wits [65-1]. The Crt will hr the US Mtn to Str Plf s expert wits and for costs on 3/19/01 at 10:00. Cnsl may appear by conf telephone. (pbap) [Entry date 03/09/01] [2:98cv2243]

3/7/01 67 SUPPL MEMORANDUM by dft USA in support of motion for partial summary judgment [56-1] (pbap) [Entry date 03/12/01] [2 : 98cv2243]

3/9/01 68 OPPOSITION by plaintiffs to motion to strike [64-1], motion for costs [64-2], deci of Juanita M. Madole. (pbap) [Entry date 03/13/01] [2:98cv2243]

3/12/01 69 DECLARATION of Charles Herrmann by plaintiff in supprt of plfs s response to the motion to strike [64-1] (pbap) [Entry date 03/15/01] [2:98cv2243]

3/13/01 70 NOTICE OF ERRATA by USA correcting suppl memo of law in supprt motion for partial summary judgment [56-1] (pbap) [Entry date 03/15/01] [2:98cv2243]

3/14/01 71 RESPONSE by defendant Korean Air Lines Co & Opp to plf s attempts to conduct liability trias in the unsettled cases re motion to strike [64-1]. (re MDL 1237) (pbap) [Entry date 03/15/01] [2:98cv2243]

3/14/01 72 JOINDER by defendant Serco Mgt Svcs Inc joining motion to strike [64-1] exp wits (pbap) [Entry date 03/15/01] [2 :98cv2243]

3/14/01 73 REPLY by defendant USA to plf s opp to motion to strike [64-1] plfs expert wits. (pbap) [Entry date 03/19/01]

3/19/01 74 Suppl response by plaintiff re motion for partial summary judgment [56-1] (pbap) [Entry date 03/21/01] [2 : 98cv2243]

3/19/01 75 2ND Suppl Memo in response by plaintiff re motion for partial summary judgment [56-1] (phap) [Entry date 03/21/01] [2 : 98cv2243]

3/19/01 96 MINUTES: granting motion to strike [64-i] with the exceptions stated (herein) by Judge Harry L. Hupp CR: Cynthia L. Mizell **see mm ord for detailed info** (pbap) [Entry date 04/02/01] [2:98cv2243]

3/21/01 76 Plfs ommitted exh D-5 in suppl response to dft U.S. mtn for partial sumjgm [74-1] (pbap) [Entry date 03/22/01] [2 : 98cv2243]

3/22/01 77 MEMO OF CONTENTIONS OF FACT and LAW by USA (Relates to MDL 1237) (shb) [Entry date 03/23/01] [2:98cv2243]

3/22/01 78 WITNESS list submitted by USA (Relates to MDL 1237) (shb) [Entry date 03/23/011 [2:98cv2243]

3/22/01 79 MEMO OF CONTENTIONS OF FACT and LAW by USA [re decendant Lee, Sang Ok] (Relates to MDL 1237) (shb) [Entry date 03/23/01] [2:98cv2243]

3/22/01 80 WITNESS list submitted by USA [re decendant Lee, Sang Ok] (Relates to MDL 1237) (shb) [Entry date 03/23/011 [2 : 98cv2243]

3/22/01 81 MEMO OF CONTENTIONS OF FACT and LAW by USA [Re decendant Do-Yeun Kim] (Relates to MDL 1237) (shb) [Entry date 03/23/01] [2:98cv2243]

3/22/01 82 WITNESS list submitted by USA [Re decendant Do-Yeun Kim] (Relates to MDL 1237) (shb) [Entry date 03/23/01] [2: 98cv2243]

3/22/01 83 MEMO OF CONTENTIONS OF FACT and LAW by USA (Re decendant Jung, Sun Mi) (Relates to MDL 1237) (shb) [Entry date 03/23/011 [2:98cv2243]

3/22/01 84 WITNESS list submitted by USA (re decendant, Jung, Sun Mi) (Relates to MDL 1237) (shb) [Entry date 03/23/01] [2: 98cv2243]

3/23/01 85 EX PARTE APPLICATION filed by USA for leave to submit supplemental declaration of Judge Kah in suppt of USA s motion for partial summary judgment (Relates to MDL 1237) (shb) [Entry date 03/27/01] [2:98cv2243]

3/28/01 102 WITNESS list submitted by plaintiffs (yc) [Entry date 04/03/01] [2:98cv2243]

3/28/01 103 WITNESS list submitted by plaintiffs (yc) [Entry date 04/03/01] [2:98cv2243]

3/28/01 104 WITNESS list submitted by plaintiffs (yc) [Entry date 04/03/011 [2:98cv2243]

3/28/01 105 WITNESS list submitted by plaintiffs (yc) [Entry date 04/03/01] [2:98cv2243]

3/28/01 106 WITNESS list submitted by plaintiffs (yc) [Entry date 04/03/01] [2:98cv2243]

3/28/01 107 JOINT EXHIBIT list (yc) [Entry date 04/03/01] [2 :
98cv2243]

3/28/01 108 JOINT EXHIBIT list (yc) [Entry date 04/03/011] [2 :
98cv2243]

3/28/01 109 MINUTES: by Judge Harry L. Hupp ; pretrial conference on 1:30 4/18/01; in addition, certain individual problems are noted as follows: In case nos CV 98-2243, CV 98-6389 and CV 98-6387 Serco is the only dft, and the matter was originally filed here. Contrary to previous indications, these cases will be tried in this district. The remaining portions of case No. CV 98-2243 are divided into four parts for four trials and four pretrial conference orders as follows: CV 98-223a for decedent Lee, Sang Ok; CV 98-2243b for decedent Kim, Do Yeun; CV 98-2243c for decedent Jung, Sun Mi and CV 98-2243d for decedents Kim Woo Kyoung and Yoo Kyoung. Petfs in case nos CV 98-2243, CV 98-6389 and CV 98-6387 dismiss any claims for punitive damages, confirming the crts understanding that this had been done before. The parties are requested to file all papers under the Central District number, not the Guam number. (see mins) CR: Cynthia L. Mizell (yc) [Entry date 04/04/01] [Edit date 05/10/01] [2: 98cv2243]

4/5/01 110 MINUTES: Cnsl for the following cases: 98-6334; 98-4500; 98-6345; 98-6344; 98-6343; 98-6342; 98-6341; 98-6337; 98-6388; 98-6316; 98-6806; 98-5450; 98-6369; 98-2243; 98-6389; 99-13513; 99-7226; 99-13527; 99-13508; 98-6387 are advised of the PTC set for 4/18/01 at 1:30 p.m. If you have any questions concerning this minute order, please contact the crt clerk at (213) 894-5216 by Judge Harry L. Hupp CR: not present (pbap) [Entry date 04/16/011] [2: 98cv2243J]

4/11/01 -- LODGED PTC ord (re: Lee, Sang-Ok) (FWD TO CRD) (pbap) [Entry date 04/17/011] [2:98cv2243]

4/11/01 -- LODGED PTC ord (re: Kim, Do-Yeun) (FWD TO CRD) (pbap) [Entry date 04/17/01] [2:98cv2243]

4/11/01 -- LODGED PTC ord (re: Jung, Sun-Mi (Decedent) (FWD TO CRD) (pbap) [Entry date 04/17/01] [2:98cv2243]

4/11/01 -- LODGED PTC ord (re: Kim, Woo-Kyoung & Kim, Yoo-Kyoung (Decedents) (FWD TO CRD) (pbap) [Entry date 04/17/01] [2: 98cv2243]

4/11/01 111 PLF AHN S WITNESS list submitted by Sun-Kyu Yoon (Decedent) (rl) [Entry date 04/18/011] [Edit date 04/18/01] [2: 98cv2243]

4/11/01 112 MEMO OF CONTENTIONS OF FACT and LAW fid by Woo-Kyoung Kim (Decedent) Yoo-Kyoung Kim (Decedent) (ri) [Entry date 04/18/01] [2:98cv2243]

4/11/01 113 MEMO OF CONTENTIONS OF FACT and LAW fld by Sang-Ok Lee (Decedent) (rl) [Entry date 04/18/011] [Edit date 04/18/01] [2:98cv2243]

4/11/01 114 MEMO OF CONTENTIONS OF FACT and LAW fid by Do-Yeun Kim (Decedent) (rl) [Entry date 04/18/01] [2:98cv2243]

4/11/01 115 MEMO OF CONTENTIONS OF FACT and LAW fld by Sun-Mi Jung (Decedent) (ri) [Entry date 04/18/011 [2:98cv2243]

4/17/01 120 RESPONSE by plaintiffs to OSC on Late Filings on PTC Ords (98 2243A for decedent Lee, Sank Ok) (dw) [Entry date 04/30/01]

[2:98cv2243]

4/17/01 121 RESPONSE by plaintiffs to OSC on Late Filings on PTC Ords (98 2243B for decedent Kim, Do Yeun) (dw) [Entry date 04/30/01]
[2:98cv2243]

4/17/01 122 RESPONSE by plaintiffs to OSC on Late Filings on PTC Ords (98 2243C for decedent Jung, Sun Mi) (dw) [Entry date 04/30/01]
[2:98cv2243]

4/17/01 123 RESPONSE by plaintiffs to OSC on Late Filings on PTC Ords (98 2243D for decedents Kim, Woo Kyoung & Yoo, Kyoung) (dw) [Entry date 04/30/01] [2:98cv2243]

4/18/01 116 ORDER by Judge Harry L. Hupp that this actn is dism as to the heir of decedent Ju Se Jin without prej for lack of prosecution. This Order is a final jgm for purposes of Fed.R.Civ.P.54(a). It shall be entered pursuant to Fed.R. Civ.P. 58 and 79 (a), and served upon the parties. (pbap) [Entry date 04/23/01] [2:98cv2243]

4/18/01 117 RENEWED MOTION by movant USA in 2 : 98-cv-02243 to strike plfs expert witness Barbara Luna motion hearing set for 10:00 5/14/01 Lodged ord (bg) [Entry date 04/23/01] [2: 98cv2243]

4/18/01 118 NOTICE OF Renewed motion to strike plfs expert witness Barbara Luna [117-1] filed by movant USA in 2:98-cv-02243 (bg) [Entry date 04/23/01] [Edit date 04/23/01] [2 : 98cv2243]

4/18/01 119 MINUTES: PTC ORDER. All OSCs are vacated by Judge Harry L. Hupp CR: Cynthia L. Mizell. **see MO for detailed info** (pbap) [Entry date 04/24/011 [2:98cv2243]

4/18/01 124 PTC ORDER by Judge Harry L. Hupp. (re: MDL 1237), Yun, Su-Kyu (Decedent). **see ord for detailed info** (pbap) [Entry date 05/03/01] [2:98cv2243]

4/23/01 128 DEFENDANTS WITNESS list submitted by USA re 2:98-cv-2243a HLH (RCx) decedent Sang Ok Lee (jj) [Entry date 05/03/01] [2: 98cv2243]

4/23/01 129 DEFENDANTS WITNESS list submitted by USA re 2:98-cv-2243b HLH (RCx) decedent Do-Yeun Kim (jj) [Entry date 05/03/01] [2:98cv2243]

4/23/01 130 DEFENDANTS WITNESS list submitted by USA re 2:98-cv-2243c HLH (RCx) decedent Sun Mi Jung (ii) [Entry date 05/03/011 [2: 98cv2243]

4/23/01 131 DEFENDANTS WITNESS list submitted by USA re 2:98-cv-2243d HLH (RCx) decedents Woo Kyoung Kim, Yoo Kyoung Kim (jj) [Entry date 05/03/01] [2:98cv2243]

4/23/01 132 MINUTES: RE: CV 98-2243(f) . The above cases are transferred to the USDC for the District of Guam for trial on the issue of damages. After various severances and consolidations, there are five cases for trial, organized by decedent, as follows: (1) . Decedent Kim Bong Su, CV 98-4500; (2) Decedent Chyung Ki Chul, CV 98-5450; (3). Decedent Lee Kyung Han, CV 98-6369; CV 99-13513; (4). Lee Sung Chul and Song Byung Won (husband and wife), CV 99-13508, CV 99-13527; CV 98-6369, and CV 98-8140; (5). Yun (or Yoon) Sun Kyu, Cv 99-7226; CV 98-2243 (f) . With regard to CV 2243 (f), the claims of plfs Ahn for the death of decedent Yun have previously been severed from the balance of CV 98-2243 and consolidated with CV 99-7226. The claims of plfs Ahn related to the death of Yun Sun Kyu are now designated by number CV 98-2243 (f). The remainder of CV 98-2243 is not transferred to the District of Guam and remains in the

Central District by Judge Harry L. Hupp CR: not present (pbap) [Entry date 05/03/01] [2:98cv2243]

4/30/01 125 OPPOSITION by plaintiffs to motion to strike plfs expert witness Barbara Luna [117-1] (pbap) [Entry date 05/03/01] [2:98cv2243]

4/30/01 126 DECLARATION of Richard E. Brown by plaintiff re in supprt of the motion opposition [125-1] (pbap) [Entry date 05/03/011 [2:98cv2243i

4/30/01 127 DECLARATION of Charles Herrmann by plaintiff re in suppt of the motion opposition [125-1] (pbap) [Entry date 05/03/011 [2:98cv2243i

5/7/01 133 MINUTES: Proceedings: ORD transferring mot. Dft United States has renewed its mot to strike plfs expert wit Barbara Luna in the following cases: 98-2243, 98-6369, 98-6387, 98-6388 and 98-6389. The Crt previously had transferred 98-2243 and 98-6369 to Guam for damages trials.

Accordingly, this mot, as it relates to 98-2243 and 98-6369 will be heard by the trial judge in Guam. This Crt will hear the mot as it relates to 98-6387, 98-6388 and 98-6389, on 5/14/01 at 10:00 a.m. by Judge Harry L. Hupp CR: not present (re: MDL 1237) (pbap) [Entry date 05/09/01] [2:98cv2243]

5/14/01 134 MINUTES: denying motion to strike plfs expert witness Barbara Luna [117-1] in CV 98-2243(a), (b), (c), (d), CV 98-6387, CV 98-6388, and CV 98-6389 by Judge Harry L. Hupp CR: Cynthia L. Mizell. (ENT 5/15/01) mid cpys & ntc (pbap) [Entry date 05/15/01] [Edit date 05/15/01] [2:98cv2243i

5/21/01 135 CASE STATUS REPORT by defendant Serco Mgt Svcs mc, defendant Korean Air Lines Co Re decedent Lee, Sang Ok (Relates to MDL 1237) (shb) [Entry date 05/23/01] [2: 98cv2243]

5/23/01 136 MINUTES by Judge Harry L. Hupp: With the except of one sub-issue, the mot of dft Serco for summary jgm is DEN by reason of the existence of triable issues of fact as to negligence & proximate or legal cause. It seems most efficient to try the liability issue as to Serco in those cases where only Serco is a dft first, bef one judge, & get a liability finding. If damage trials are thereafter necessary, the case can be sent out for individual damage trials. Accordingly, the crt intends to modify the PTC ords already submitted, specifying that there shall be liability trials bef one judge in the Central District, to Precede any damage trials, w/ damage trials to proceed individually if liability is found. Cnsl should expect the modified PTC ords imminently, followed by info as to identity & date of a stat conf bef the selected trial judge to set a date for a liability trial. CR: Cynthia L. Mizell. CR: n/a. (gk) [Entry date 06/06/011 [2:98cv2243]

6/6/01 137 NOTICE of satisfaction of lien relating to Cash Advances to Soe Jin Ahn, Soo Yun Ahn, Jong Hyuk Ahn & So Rye Ku [4 6-1] fid by Dft Korean Air Lines Co Ltd (re ML 1237) (ir) [Entry date 06/07/01] [2:98cv2243]

6/7/01 138 MINUTES: striking notice [137-1] . The orig doc will be pulled from records and forwarded to the USDC in Guam. Cnsl should file all subsequent filings pertaining to these cases directly to the USDC in Guam by Judge Harry L. Hupp CR: not present (pbap) [Entry date 06/14/01] [2 :98cv2243]

6/15/01 139 NOTICE OF MOTION AND MOTION by movant USA to deposit settlement funds with the court pursuant to FRCP 67; Memorandum of points

and authorities; Declaration of Matthew Connolly; motion hearing set for 10:00 7/9/01 Lodged proposed order (Relates to MDL 1237, 98-2707, 98-2798, 98-3637; 98-5010; 98-5450) (shb) [Entry date 06/19/01] [Edit date 06/19/01] [2:98cv2243]

6/18/01 140 AMID CERTIFICATE OF SERVICE by movant USA on 6/14/01 of svng ord granting dft USA s met to deposit sttlmnt funds with the crt on the parties (listed herein) (pbap) [Entry date 06/26/01] [2:98cv2243]

6/18/01 144 AMENDED CERTIFICATE OF SERVICE by movant USA on 6/14/01 of ntc of met & mat to deposit settlement funds w/ the crt purs to FRCP 67; memo of PA; decl of Matthew A. Connolly. (gk) [Entry date 07/02/01] [2:98cv2243]

6/18/01 145 AMENDED CERTIFICATE OF SERVICE by movant USA on 6/14/01 of prop Ord gr dft USA s met to deposit settlement funds w/ the crt purs to FRCP 67. (gk) [Entry date 07/02/01] [2: 98cv2243]

6/22/01 141 PETITION for approval of compromise of minors claim and approval of payment of costs and attys fees by plaintiff Jeong Ja Jeong. (re: MDL 1237) (pbap) [Entry date 06/28/01] [2 :98cv2243]

6/22/01 -- LODGED/PROPOSED ORDER submitted . (FWD TO CRD) (pbap) [Entry date 06/28/01] [2:98cv2243]

6/22/01 142 PETITION for approval of compromise of minors claim and approval of payment of costs and attys fees by plaintiff Myung Sook Shin (pbap) [Entry date 06/28/01] [2: 98cv2243] 6/22/01 -- LODGED/PROPOSED ORDER submitted . (FWD TO CRD) (pbap) [Entry date 06/28/01] [2:98cv2243] 6/22/01 143MEMORANDUM IN SUPPORT by plaintiffs joinder in the USA s motion to deposit settlement funds with the court pursuant to FRCP 67 [139-1] (pbap) [Entry date 06/28/01]

7/19/01 146 STIPULATION and ORDER by Judge Harry L. Hupp to deposit sttlmnt funds & to distribute sttlmnt funds by dfts USA & Korean Air Lines purs to rule 67 of the rules civil procedure (see doc for fur details) (SEND) (rl) [Entry date 07/23/01] [Edit date 07/24/01] [2:98cv2243]

7/19/01 147 MINUTES: ORD re mot to deposit sttlmnt funds. The met is GR by stip. Briefing schedule: Mot to show cause fld by 9/24/01; Opp fld by 10/15/01; Reply filed by 10/29/01; IN COURT HEARING set on 11/5/01 by Judge Harry L. Hupp CR: not present (pbap) [Entry date 07/30/01] [2:98cv2243]

8/6/01 148 MINUTES: re: Funds Deposited with the Crt for Monday ; status conference set for 9:00 8/20/01. Cnsl are instructed to file a jnt status rpt due by Thursday, 8/16/01 by Judge Harry L. Hupp CR: Cynthia L. Mizell (pbap) [Entry date 08/07/01] [2:98cv2243]

8/13/01 149 ORDER by Judge Harry L. Hupp approving petn for compromise of minors claim and approval of payment of costs and atty fees. ORD, ADJ and DECREED as follows: () The Guaridan Ad Litem shall pay to the Herrmann Law Firm, the Law Offices Richard E. Brown and Speiser Krause: out of the recovery the following sums \$915,750 for atty fees and \$182,784.61 for reimbursement of expenses and costs. (2) The US is ordered to pay \$305,250 to the Registry of the Crt, the amt of attys fees claimed by Alan LichtensteÂn for later determination by the Crt. (3) The US is ordered to pay \$2,279,522.20 re (re: minor claim: Ko, Won-Hee & Ko, Won-San) etc. **see ord for additional detailed info** (re: MDL 1237) (pbap) [Entry date 08/15/01] [2:98cv2243]

8/16/01 150 Jnt status rpe re fees deposited into the registry of the

crt. (re: MDL 1237) (pbap) [Entry date 08/20/01] [2 : 98cv2243]

8/20/01 151 Amended ORDER approving petition for compromise of minors elm & approval of pymt of costs & attys fees & ord distribution to minors by Judge Harry L. Hupp; Granting petition [142-1]. It is ord that the Guardian Ad Litem shall pay to Herrmann Law Firm, The Law offices Richard E. Brown, and Speiser Krause; out of the recovery the following sums for atty fees \$1,754,062.50 and \$246,926.65 for reimbursement of expenses & costs. The US is ord to pay \$584,687.50 to the registry of the crt, the amt of attys fees claimed by Alan Lichtenstein for later determination by the crt. The US is ord to pay \$3,437,400 be used to purchase two single premium annuities from American Int'l Grp Lift Ins Co of NY, for the benefit of Kang, Yu-Bin & Kang, Jin-Yu. The US ord to pay Juanita M. Madole, Liaison Cnsl MDL in amt \$2,360.42 referencing the Kang, Jung-Won sttlmnt. The US ord to pay to Condon & Forsyth LLP referencing Kang, Jung-Won \$73,829.19 in satisfaction of dft KAL s lien. (tw) [Entry date 08/21/01] [2:98cv2243]

8/20/01 152 MINUTES: ; status conference held re Funds deposited with Crt. Dates previously set by stip. No fur status conf set at this time by Judge Harry L. Hupp CR: not present. (re: MDL 1237) (pbap) [Entry date 08/24/01] [2:98cv2243]

9/5/01 153 MINUTES: Mot to dism. Cases CV 98-2243(c) (b) (d) and 98-6388 as to Serco s liability will need a pretrial conf for liability trial in Central Dist. That pretrial conf is set for 9/26/01 at 9:00. It is contemplated that these cases will be transferred to another judge in this dist for liability trial at the conclusion of the pretrial conf, by Judge Harry L. Hupp CR: Cynthia L. Mizell (tw) [Entry date 09/06/01] [2:98cv2243]

9/14/01 155 STIPULATION and ORDER by Judge Harry L. Hupp ; pretrial conference for the liability trial against Serco Mgt Services, Inc now set for 9/26/01 shall be rescheduled to 9:00 11/30/01. (re: 98-2243(b), 98-2243(c), 98-2243(d), as it affects decedent Woo Kyoung Kim) re: MDL 1237 **see dec for additional info** (pbap) [Entry date 09/19/01] [2 : 98cv2243]

9/17/01 154 STIPULATION and ORDER by Judge Harry L. Hupp re disputed atty fees. (re: Hyun, Young-Sook (Decedent); Kang, Jung-Won (Decedent); Kim, Eun-Jae (Decedent); Kim, Hyun-Kyung (Decedent); Ko, Jung-Chul (Decedent); Lee, Sang-Ok (Decedent) **see doe for detailed info** re: MDL 1237 (pbap) [Entry date 09/19/01] [2:98cv2243]

9/17/01 162MINUTES: OSC re failure to comply with Local Rule 9. ORD that none of the does required by Local Rule 9 has been filed. The following does required by Rule 9 have not been filed: Orig jnt pretrial ord (faxed copy received at 5:30 p.m. on 9/14/01. Jnt exh list made necesary by addition of United States. Witness lists of the parties. The PTC is contd to 10/1/01 at 11:00. Plf(s) is/are to show cause at that time why this action should not be dism for lack of prosecution. Dft(s) is/are to show cause at that time why the ans (and counterclaim) should not be stricken and default entered. Plf(s) and Dft(s) are to show cause at that time why sanctions pursuant to Local Rule 27 should not be assessed. All docs including all Rule 9 docs, if the action is allowed to proceed, must be filed on or 9/24/01. It now appears that CV 98-2243(d) need to be further severed. The portion of CV 2243(d) dealing with the death of decedent Kim, Yoo Kyoung is now severed from the balance of CV 98-2243(d) and is given the designation CV 98-2243 (d) (1) . The portion of CV 98-2243 (d) relating to the death of Kim, Woo Kyoung is now designated as action no. CV 98-2243 (d) (2) . CV 98-2243 (d) (1) has previously been consolidated with CV 01-4538 (h) and will be transferred

to the District of Guam for trial. Case no. Cv 98-2243(d) (2) (Kim, Woo Kyoung) is not concerned with this case and will have a pretrial for liability issues at a later date (the trial to be in this district) by Judge Harry L. Hupp CR: not present (re: MDL 1237) (pbap) [Entry date 09/28/01] [2:98cv2243]

9/19/01 156 NOTICE by movant USA of deposit of funds with the court in the amount of \$37,812.50 (Relates to MDL 1237) (shb) [Entry date 09/24/01] [2:98cv2243]

9/19/01 157 NOTICE by movant USA of deposit of funds with the court in the amount of \$44,062.50 (re Lee, Eun Young) (Relates to MDL 1237) (shb) [Entry date 09/24/01] [2:98cv2243]

9/19/01 158 NOTICE by movant USA of deposit of funds with the court in the amount of \$147, 187.50 (Re Kim, Nam Kyung) (Relates to MDL 1237) (shb) [Entry date 09/24/01] [2:98cv2243]

9/20/01 159 Joint STATUS Conference Statement (shb) [Entry date 09/24/01] [2:98cv2243]

9/24/01 160 RESPONSE by movant USA to OSC filed 9/17/01 (shb) [Entry date 09/26/01] [2:98cv2243]

9/26/01 161 NOTICE of satisfaction of lien relating to cash advances to Se Ki Kim, Bo Rye Lee, Kum Ok Park and Nam Noon Kim by defendant Korean Air Lines Co (pbap) [Entry date 09/27/01] [2:98cv2243]

10/1/01 163 MINUTES: Proceedings: PTC & ORD transferring actions to District of Guam for Trial. The PTC ord consolidated actions is signed and filed this date. The consolidated actions are ordered transferred to the District of Guam by this minute order. All OSCs are vacated, the responses being satisfactory. The crt also notes that this case is to be distinguished from the actions involving the decedent Kim, Woo Kyoung, No. CV 98-2243(d) (2), who was a different person, with the action involving that different person being retained in the Central District (because the US was not a dft in that action and, therefore, the Tort Claims Act venue perversions did not apply). This clarification is set forth here in an attempt to avoid confusion in the District of Guam. On arrival of this case in Guam, the crt believes that Judge Unpingco will set a status conference by Judge Harry L. Hupp. (re: 98-2243(d) (1) & CV 01-4538(h); re: MDL 1237 CR: Cynthia L. Mizell (pbap) [Entry date 10/05/01] [2:98cv2243]

10/1/01 164 NOTICE by defendant Korean Air Lines Co of satisfaction of lien relating to cash advances to Yeun Nam Lee and in Sook Park. (pbap) [Entry date 10/05/01] [2:98cv2243]

10/4/01 165 NOTICE of satisfaction of lien relating to cash advances to Jong Rang Kim, Sook Ja yeun and Hyun Soon Kim by defendant Korean Air Lines Co (pbap) [Entry date 10/09/01] [2:98cv2243]

10/4/01 166 NOTICE of deposit of funds with the court by movant USA (pbap) [Entry date 10/09/01] [2:98cv2243]

10/4/01 -- 'LODGED Note of deposit of funds w/the court in the amt of \$42,500.00 (FWD TO CRD) (pbap) [Entry date 10/09/01] [2:98cv2243]

10/10/01 167 MINUTES; Stip & ORD of Dismissal of Claims. This mm order is an interpretation of the stip for dismissal of claims for the death of three decedents, lodged 9/17/01, and signed and filed this date by the crt. The first claim dismissed are claims for the death of Lee, Sang Oh,

in case CV 98-2243 (a) . The second claim dismissed are claims for the death of Ahn, Ki Joon, in case CV 98-2243 (not previously given a sub-number designation). The third claim dismissed are claims in two consolidated cases CV 98-2243 (without sub-numbered designation) and CV 98-4500 related to the death of Choi, Youn Hee. The clerk should enter dismissals accordingly by Judge Harry L. Hupp CR: not present (pbap) [Entry date 10/11/01] [2:98cv2243]

10/10/01 168 STIPULATION and ORDER by Judge Harry L. Hupp of dismissal with prej of all claims filed by all parties, each party to bear its own costs. (pbap) [Entry date 10/11/01] [2: 98cv2243]

; [WMT EOD 11/19/2001]